

BEFORE THE STATE BOARD OF EQUALIZATION
OF THE STATE OF CALIFORNIA

In the Matter of the Appeal of)
WILLIAM STEINSMITH)

For Appellant: William Steinsmith,
in pro. per.

For Respondent: John A. Stilwell, Jr.
Counsel

O P I N I O N

This appeal is made pursuant to section 18593 of the Revenue and Taxation Code from the action of the Franchise Tax Board on the protest of William Steinsmith against a proposed assessment of additional personal income tax and penalties in the total amount of \$2,473.50 for the year 1977.

Appeal of William Steinsmith

Appellant failed to file a California personal income tax return for 1977 and did not reply to respondent's demand that he file. Using available information about appellant's income, respondent issued a deficiency assessment, including 25 percent penalties for failure to file a return and failure to file after notice and demand. Appellant objects to the assessment on the grounds that he has not received any lawful money since 1968, when paper currency became unredeemable in gold or silver.

Respondent's determinations of additional tax and failure to file penalties are presumptively correct, and appellant has the burden of proving them erroneous. (Appeal of K. L. Durham, Cal. St. Bd. of Equal., March 4, 1980; Appeal of Harold G. Jindrich, Cal. St. Bd. of Equal., April 6, 1977.) No such proof has been presented. Appellant's attack on the validity of Federal Reserve notes has been rejected as frivolous in prior cases (see Appeal of Iris E. Clark, Cal. St. Bd. of Equal., March 8, 1976; Appeal of Donald H. Lichtle, Cal. St. Bd. of Equal., Oct. 6, 1976; Appeal of Armen B. Condo, Cal. St. Bd. of Equal., July 26, 1977), and is obviously insufficient to overturn respondent's assessment. On the basis of these decisions, we will sustain respondent's action in this case.

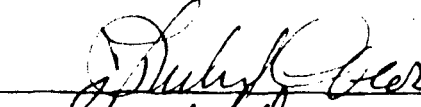
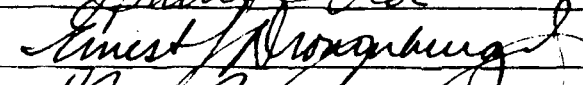
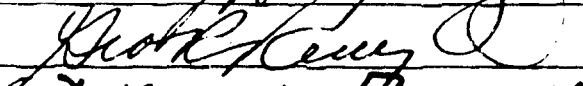
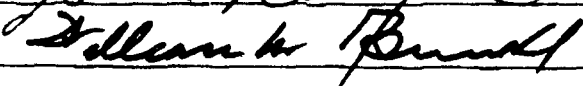
O R D E R

Pursuant to the views expressed in the opinion of the board on file in this proceeding, and good cause appearing therefor,

Appeal of William Steinsmith

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, pursuant to section 18595 of the Revenue and Taxation Code, that the action of the Franchise Tax Board on the protest of William Steinsmith against a proposed assessment of additional personal income tax and penalties in the total amount of \$2,473.50 for the year 1977, be and the same is hereby sustained.

Done at Sacramento, California, this **21st** day
of May , 1980, by the State Board of Equalization.

	, Chairman
	, Member
	, Member
	, Member
_____	, Member